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SENATE

{ REPORT
No. 1927

PAUL TSE, JAMES TSE, AND BENNIE TSE

JUNE 27, 1952.—Ordered to be printed

Mr. McCARRAN, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany H. R. 3592]

The Committee on the Judiciary, to which was referred the bill (H. R. 3592) for the relief of Paul Tse, James Tse, and Bennie Tse, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to grant to the minor Chinese children of a United States citizen the status of nonquota immigrants which is the status normally enjoyed by the alien minor children of United States citizens.

STATEMENT OF FACTS

The beneficiaries of the bill are the minor Chinese children of Quong Tse who is a citizen of the United States. He was married in China in 1931 and the three beneficiaries of the bill are the children of the marriage. The mother of the children is eligible to enter the United States as the wife of a United States citizen but this benefit has not been extended to the minor Chinese children of United States citizens. The mother was admitted to the United States on December 27, 1951.

A letter and memorandum dated August 25, 1950, to the chairman of the Committee on the Judiciary of the House of Representatives from the Deputy Attorney General with reference to H. R. 7605 which was a bill introduced in the Eighty-first Congress for the relief of the same aliens, reads as follows:

AUGUST 25, 1950.

HON. EMANUEL CELLER,
*Chairman, Committee on the Judiciary,
 House of Representatives, Washington, D. C.*

MY DEAR MR. CHAIRMAN: This is in response to your request for the views of the Department of Justice concerning the bill (H. R. 7605) for the relief of Paul Tse, James Tse, and Bennie Tse, aliens.

The bill would provide that, notwithstanding section 2 of the Immigration Act of December 17, 1943, as amended, which excludes Chinese alien children of citizens of the United States from admission to the United States as nonquota immigrants, Paul Tse, James Tse, and Bennie Tse, minor children of Quong Tse, a citizen of the United States, shall, if otherwise admissible under the immigration laws, be admitted to the United States as nonquota immigrants under section 4 (a) of the Immigration Act of 1924, as amended.

The company with which Mr. Tse had been associated has recently been dissolved, and he stated that he intended to start a business of his own, manufacturing mah jong sets. His brother, Tom Q. Tse, and he own a building in Chicago, Ill., valued at \$30,000.

The racial quota for China, to which the aliens are chargeable, is oversubscribed and immigration visas are not readily obtainable. The act of December 17, 1943, as amended, gives nonquota status to Chinese alien wives of American citizens, but does not give a similar status to alien unmarried minor children. Under that act, such children are chargeable to the Chinese racial quota. The question whether alien minor unmarried children of the Chinese race should be given a nonquota status under section 4 (a) of the Immigration Act of 1924 should be resolved, if at all, by general legislation. The record fails to present considerations sufficient to justify granting these aliens a preference over other alien children who are of the Chinese race, and who desire to join their citizen fathers in the United States, but are required to await their turn in the issuance of immigration visas.

Accordingly, this Department is unable to recommend the enactment of the bill.

Yours sincerely,

PEYTON FORD,
Deputy Attorney General.

The files of the Immigration and Naturalization Service of this Department disclose that Paul Tse, James Tse, and Bennie Tse are natives and citizens of China, having been born in Hong Kong, China, on April 17, 1938, September 9, 1935, and February 17, 1937, respectively. These minor children of Mr. Quong Tse (Tse Quong Non) are presently residing in that city with their mother, Jue Shee.

The father of the beneficiaries of the bill is a native of China who was naturalized a United States citizen on July 22, 1947. He is presently residing in Chicago, Ill. Having first entered the United States on November 11, 1919, Mr. Tse Quong Non has returned to China for several visits since that time. The first visit was in August 1931, at which time he remained in China until April 1933. Subsequently, he resided in that country from June 1934 to March 1937, from May 1939 to March 1941 and from sometime in 1948 to August 4, 1949. He stated that he married Jue Shee, a native of China, on November 11, 1931. He further testified that the three beneficiaries of the instant bill are the children born of this marriage.

Congressman William L. Dawson, the author of the bill, submitted the following additional information in connection with the bill:

MEMORANDUM IN RE TSE QUONG NON

Tse Quong Non (Tse being family name) was born in Canton, China, October 5, 1908. He entered the United States at San Francisco, in November 1919. He was naturalized as an American citizen on July 22, 1947, in Chicago (naturalization No. 63111335). He was married in China on October 2, 1931 (Chinese date) to May Jue Tse. His wife was born on January 21, 1916. Three children have been born of the marriage—Paul, born April 17, 1933, in Hong Kong (have birth certificate); James, born September 9, 1935, in Hong Kong (have birth certificate); Bennie, born January 7, 1937, in Hong Kong (no birth certificate because this was at time of Japanese invasion).

Tse Quong Non returned to China in 1931. He came back to the United States in 1933; returned to China in 1934 and returned to the United States in 1937; returned to China in 1939 and returned to United States in 1941; returned

to China in 1948 and returned to United States in August 1949. He resides at 2315 Wentworth Avenue in a building of which he is part owner along with his brother. He is vice president of Maco Engineering Corp., 2250 Clybourn Avenue, Chicago, in which he owns 34 percent of the stock. The building on Wentworth Avenue is worth about \$30,000. His annual income is about \$4,000. He has a brother Tom born in Chicago, a sister Ruth born in Chicago, a sister Helen born in Chicago, Helen being now in China.

It is the desire of Tse Quong Non to bring his wife and three children to the United States. During the last session of Congress, a special bill was introduced in both Houses of Congress (S. 3529, H. R. 7605), to clarify the children as non-quota, the wife already being nonquota as a wife and American citizen. This bill, however, failed to pass because of policy reasons. The House Judiciary Committee apparently recommended its passage, but the Senate Judiciary Committee failed to do so, because of the fact the administration had a similar over-all bill pending.

Tse Quong Non, however, has already been investigated by the Immigration Department and apparently has cleared the Justice Department. His Immigration Department number is 730/026608. This is the original file number on Tse Quong Non as he is a naturalized citizen. The new file numbers on the family and children are as follows: 0900-54703, 0900-54704, and 0900-54705.

Tse Quong Non is of course more than anxious to get his family into the United States and unite his family. With the view of the international situation, the first consideration would be to get them out of China and into the United States. The secondary consideration would be to get them out of China to a United States possession such as Manila in the Philippines.

Following that, of course, a special bill should be enacted making the three children nonquota and in that way the entire family would be eligible to enter the United States.

Attached hereto are photographs of the wife and three children: May Jue Tse; son, Paul Tse; son, Bennie Tse; and son, James Tse.

AFFIDAVIT OF TSE QUONG NON

STATE OF ILLINOIS,

County of Cook, ss:

Tse Quong Non, being first duly sworn, deposes and says that he is an American citizen residing at 2315 South Wentworth Avenue, Chicago, Ill.; that he is the secretary and treasurer of the Hall Manufacturing Co., an Illinois corporation which is engaged in the business of electromagnetic components.

Affiant further states that he is married to May Jue Tse and that by virtue of said marriage he is the father of three children named, respectively, Paul Tse, James Tse, and Bennie Tse, now residing with their mother and his wife in Hong Kong, China; that a visa is immediately obtainable for his wife, May Jue Tse, as she is nonquota, being the wife of an American citizen; that affiant was married in China and that all three of his children were born in China.

That affiant is sincerely desirous of uniting with his said children and wife by having them brought to the United States; that he is ready, willing, and able to undertake their support and that the said wife and children will never become public charges as he is financially able to provide for their support.

Further affiant saith not.

TSE QUONG NON.

Subscribed and sworn to before me this 25th day of April 1951.

[SEAL]

FRIEDA C. GRAHAM, Notary Public.

My commission expires June 1, 1954.

THE MOODY BIBLE INSTITUTE OF CHICAGO,
January 31, 1951.

To Whom It May Concern:

This is to certify that Mr. Tse Quong Non, 2315 South Wentworth Avenue, Chicago, Ill., is a friend whom I have known for about 32 years. He is a Christian, having been received into the Church of the Brethren about 25 years ago.

His father (now deceased) was also a baptized member of the same church. His brother Tom, who was born in Chicago, and is living with Mr. Tse, is also a

baptized member of the Church of the Brethren in Chicago. I understand that his two sisters and his wife and three sons are all baptized Christians.

Tse Quong Non is secretary-treasurer of the Hall Manufacturing Co. This company makes electromagnetic components.

I am pleased to request you to do all in your power to assist the wife and children of this gentleman to be brought to the United States of America to join him in his home here. I am sure he is worthy of your consideration in this matter.

I can attest to the stable character of this man, and am sure he will amply and creditably care for his family.

As this letterhead indicates, I am a member of the faculty of Moody Bible Institute, which position I have held since September 1938.

Since September 1914 I have been connected with the Chinese Sunday School of the First Church of the Brethren in Chicago; and for many years have been the superintendent of the Sunday school.

Very sincerely yours,

REV. ELGIN S. MOYER.

THE FIRST CHURCH OF THE BRETHREN,
Chicago 24, Ill., January 30, 1951.

To Whom It May Concern:

It has been my privilege to know for some time Mr. Tse Quong Non. He is a member of the Church of the Brethren, and an attendant of the church of which I am the minister. I understand that he became associated with the church 25 years ago while living in Indiana. His people—father, brother, wife, and children—are of the Christian faith.

He holds a responsible position with the Hall Manufacturing Co. of Chicago. I am told that he is a man of dependability and resourcefulness in his work.

I have always looked upon Mr. Tse Quong Non as a man of high integrity and genuine character. It is a privilege on my part to write a word of commendation on his behalf.

Sincerely,

HARPER S. WILL, Minister.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H. R. 3592) should be enacted.